THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION No.23825 of 1997

Date: 14-07-2006

Between:

K. Nagamanamma

...PETITIONER

a n d

The Government of Andhra Pradesh rep by its Secretary, Education Department, Secretariat Buildings, Hyderabad and others

...RESPONDENTS

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION No.23825 of 1997

ORDER:

Petitioner, who was appointed as a Teacher in the ABM Schools, Kurnool, of which third respondent is the Correspondent, filed this petition seeking a direction to respondents 1 and 2 to approve her appointment to an aided post of the Secondary Grade Teacher in the ABM Schools and direct release of salary.

2. On behalf of respondents 1 and 2, second respondent filed his counter affidavit *inter alia* contending that the petitioner, who was appointed during 1991 in an unaided post by the third respondent in an irregular fashion, cannot seek the relief now claimed in this writ petition more so because her appointment was not approved by him vide proceedings in Lr.No.8679/B5/93 dated 27-09-1993 and informed the third respondent that the vacant post has to be filled up by drawing candidates from Employment Exchange duly following the rule of reservation through the staff selection committee. Since the appointment of the petitioner, without his prior permission and without following the due procedure, is irregular, no grant can be released.

The management, which gets grant-in-aid, has to follow the rules laid down in G.O.Ms.No.1 Education, dated 01-01-1994 in filling up the aided posts. As per G.O.Ms.No.526 Education, dated 21-12-1988, candidates sponsored by the Employment Exchange only shall be entertained by the staff selection committee. Since all the procedures are not followed, petitioner is not entitled to any relief.

3. After having heard the learned counsel for petitioner and the learned Assistant Government Pleader, I find no merit in the writ petition because the petitioner, who was appointed to an unaided post, without following the procedures prescribed, cannot seek a direction to the Government to regularize her appointment by treating the post as an aided post.

4. Therefore, the writ petition is dismissed with costs.

14-07-2006

cvrk